


July 10, 2009

TO: Active Member Companies
FROM: Steven J. Samara 
SUBJECT: State Certification of Universal Service Support
Affidavit Attached and due to PTA by August 21, 2009

On May 23, 2001, the FCC released an Order adopting a requirement that State Commissions must file an annual certification with USAC and the FCC stating "that all federal high-cost support provided to such carriers [rural incumbent local exchange carriers and competitive carriers classified as eligible telecommunications carriers serving lines in an area of rural incumbent local exchange carrier] will be used only for the provision, maintenance and upgrading of facilities and services for which the support is intended."

This certification is required by October 1, 2009. In absence of the certification, a rural telephone company will be deprived of its federal support for universal service at least through the first quarter of 2010.

I have attached an Affidavit your company **MUST** sign and return to PTA no later than **August 21, 2009**, in order to be eligible to continue receiving Federal Universal Service Funds for the year 2010. PTA will hand-deliver these affidavits to the PUC in preparation of their filing.

YOU MUST:

- have an officer of your company fill out and sign the attached affidavit
- fill in your company name
- mail the original affidavit to:

Susan Carter
Pennsylvania Telephone Assn.
P.O. Box 1169
Harrisburg, PA 17108-1169

Susan Carter
Pennsylvania Telephone Assn.
OR 30 N. Third Street, S-300
Harrisburg, PA 17101

Questions concerning this mandate, please contact Sue Carter or myself.

COMMONWEALTH OF :
PENNSYLVANIA :
:
COUNTY OF :

AFFIDAVIT

Pursuant to the requirements of 47 C.F.R. Section 54.314, _____ [\[Telephone Company\]](#) (“Company”) hereby certifies that all federal Universal Service high-cost support funds flowing to the Company, a rural local exchange carrier, will only be utilized in the year 2010 for the purposes intended under Section 254(e) of the Telecommunications Act of 1996 (“TCA-96”).

Specifically, _____ [\[Telephone Company\]](#) certifies that it will utilize its Universal Service support, in the amounts shown by the Universal Service Administrative Company (“USAC”) on its website at <http://www.usac.org/hc/incumbent-carriers/step06/> for the provision, maintenance, and/or upgrading of facilities and service for which the support is intended.

In support of this certification, _____ [\[Telephone Company\]](#) relies on one or more of the following:

- (1) THE COMPANY’S INVESTMENT IN UPGRADING FACILITIES AND SERVICES.

This investment is shown in Company’s Annual Report filed with the Pennsylvania Public Utility Commission (“Commission”) which is incorporated by reference. The Company notes specifically that Telephone Plant in Service (“TPIS”) is a measure recognized by the Federal Communications Commission (“FCC”) for investment in rural infrastructure that is related to the Company’s level of federal universal service support. See [FCC Universal Service Order](#), CC Docket No. 96-45, Order Entered May 23, 2001, ¶¶77 et seq.

(2) THE COMPANY'S EXPENDITURES ON NETWORK MODERNIZATION

Pursuant to Pennsylvania Act 183, the Company has committed to 100% deployment of broadband capacity by the date set forth in its Chapter 30 Plan on file with the Commission. The Company also submits Network Modernization Reports to the Commission as required under its Chapter 30 Plan.

(3) THE COMPANY'S EXPENDITURES FOR MAINTENANCE.

This investment is shown in the Company's Annual Report on file with the Commission.

(4) THE COMPANY'S UBIQUITOUS PROVISION OF AFFORDABLE LOCAL TELEPHONE SERVICE.

This provision of residential service, at average rates that are below the affordability benchmark identified by the Commission's Global Order at Docket Nos. P-00991648 and P-00991649, and at a penetration level that, on average for Pennsylvania's rural telephone companies, is well above the national average, is evidenced by the Company's tariffed residential local service rates on file with the Commission.

Based upon the information provided in one or more of the above four categories, [\[Telephone Company\]](#) certifies that it utilizes its federal Universal Service support for the purposes intended under Section 254(e) of TCA-96.

As an authorized corporate officer of _____ [\[Company name\]](#), I, under penalty of perjury, hereby affirm a familiarity with and an understanding of the requirements of the Communications Act of 1934, as amended by TCA-96, with respect to the receipt of Universal Service funds, and affirm that funds received for high-cost loop support (47 C.F.R. Part 36), local switching support (47 C.F.R. § 54.301), and any high-cost support received as a result of a purchase of exchanges (47 C.F.R. § 54.305)

will be used only for the provision, maintenance and upgrading of facilities and services for which the support is intended pursuant to Section 254(e) of TCA-96.

I acknowledge the Commission's ability to invoke fines or other penalties for failure to provide truthful information under 66 Pa.C.S. Section 3301. I further acknowledge the authority of the Commission, the FCC and the USAC to request additional information as may be necessary.

By

[Telephone Company]
[Title]

Sworn to and subscribed before me this _____ day of _____, 2009.

Notary Public

My Commission Expires: